



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of:

Akemichi BABA et al.

Confirmation No.: 5435

Serial Number: 10/073,135

Group Art Unit: 1636

Filed: February 13, 2002

Examiner: QIAN, CELINE X.

For: NON-HUMAN ANIMAL DEFICIENT IN FUNCTION OF PITUITARY ADENYLATE  
CYCLASE-ACTIVATING POLYPEPTIDE GENE

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 8, 2005

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences the decision dated **September 8, 2004** of the Examiner finally rejecting claims **1 - 18**.

The items checked below are appropriate:

1. **XX** A petition for **a three-month** extension of time to respond to the Final Rejection is being filed concurrently herewith.
2. **XX** A timely response to the Final Rejection has been filed on **February 8, 2005**, as provided in 37 C.F.R. 1.116.
3. **XX** Fee **-\$535.00: \$250.00 for the notice of appeal and \$285.00 (\$510.00 - \$225.00) for the extension of time for a small entity)**

**XX** Enclosed

\_\_\_ Not required (fee paid in prior appeal)

\_\_\_ Charge to Deposit Account No. **50-2866**.

In the event this Notice of Appeal is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. Any fee deficiency for this extension may be charged to our Deposit Account No. **50-2866**, along with any other additional fees which may be required with respect to this Notice and Submission.

Respectfully submitted,  
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

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Atty. Docket No. **010541A**

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